

**WASHINGTON COUNTY COMMISSION  
MEETING MINUTES  
FEBRUARY 2, 2016**

The Regular Meeting of the Board of the Washington County Commission was called to order by Chairman Alan D. Gardner at 4:00 p.m. on February 2, 2016, in the Washington County Commission Chambers, 197 East Tabernacle St. George, Utah. Those in attendance were Chairman Alan D. Gardner, Commissioner Victor Iverson, Commissioner Zachary Renstrom, County Administrator Dean Cox, Deputy County Attorney Eric Clarke, and Deputy County Clerk Nicholle M. Felshaw.

**INVOCATION BY:** Pastor Jimi Kestin, Solomon's Porch Foursquare Fellowship

**PLEDGE OF ALLEGIANCE LED BY:** Don Oborn, United States Army Veteran

**CONSENT AGENDA:**

The Consent Agenda is a means of expediting routine matters which come before the Commission for approval. The Consent Portion of the agenda is approved by one (1) non-debatable motion. If any Commissioner wishes to remove an item from the Consent Portion of the agenda, then that item becomes the first order of business on the Regular Agenda.

- Consideration of Auditor-Approved Claims for Payment for January 20, 2016, through February 2, 2016
- Consideration of Administrative Adjustments: Real Property (attached)
- Consideration of Administrative Adjustments: Personal Property (attached)
- Consideration of Administrative Adjustments: Personal Property (Correction of an action taken December 1, 2015) (attached)
- Consideration of Application for Property Tax Abatement: Clifton & Denise Call, A/N 0786615
- Consideration of Ratification of 2015 Veterans Personal Property Exemptions (attached)
- Consideration of Acknowledging Renewal of Physician Contract for Purgatory Correctional Facility for 2016
- Consideration of Five County Association of Governments FY2016 Match Requirement for Washington County for \$15,000
- Acknowledgment of Publishing: Notice of Adoption of Ordinance No. 2016-1059-O, Ordinance No. 2016-1060-O, and Ordinance No. 2016-1061-O

**MOTION:** Motion by Commissioner Renstrom to Approve the Consent Agenda as presented. Motion seconded by Commissioner Iverson and carried by unanimous vote, with Commissioners Gardner, Iverson and Renstrom voting aye.

**REGULAR AGENDA ITEMS FOR CONSIDERATION:**

**PRESENTATION: OPEN AND PUBLIC MEETINGS ACT TRAINING: ERIC CLARKE**

Deputy County Attorney Eric Clarke conducted an annual training for the Commission on the Open Meetings regulations, in accordance with State Code.

(See attached PowerPoint)

**PURCHASE REQUESTS: MARK BLANCH**

Clerk/Auditor, pressure sealer .....	(\$10,015.00)
Dixie Center, control panel for chiller .....	(\$25,535.00)
Sports & Outdoor Recreation Department, advertising .....	(\$43,500.00)
Sheriff's Office, mobile field reporting .....	(\$51,072.00)
Sheriff's Office, Ford F150, 4X4 Crew, black .....	(\$33,146.00)
Sheriff's Office, seven (7) new vehicles .....	(\$218,032.00)
Convention & Tourism, Utah.com advertising .....	(\$28,500.00)
Convention & Tourism, O L W M internet marketing .....	(\$39,350.00)
Convention & Tourism, STG News, online marketing .....	(\$18,400.00)
Convention & Tourism, STG COC visitor support services & streetfest .....	(\$48,000.00)
Convention & Tourism, Yesco Outdoor Media, advertising .....	(\$26,000.00)
Convention & Tourism, D.A Fox Advertizing, America Journal advertising...	(\$12,620.80)
Convention & Tourism, Tuacahn, advertising sponsorship .....	(\$50,000.00)
Convention & Tourism, BYU Broadcasting, internet advertising .....	(\$10,000.00)
Convention & Tourism, Flight Centre Travel Group, ad campaign .....	(\$30,000.00)

Purchasing Agent Mark Blanch stated that the Sheriff's Office is the host agency for the countywide shared law enforcement and fire database. Subsequently, the other agencies will be billed for reimbursement of the majority of the mobile field reporting purchase request amount. He went on to mention that the Ford F150 purchase request will be reimbursed with a grant from the Mental Health Court.

*All purchases are budgeted, bonded, or paid for through grant funds.*

**MOTION: Motion by Commissioner Iverson to Approve the Purchase Requests as Presented. Motion seconded by Commissioner Renstrom and carried by unanimous vote, with Commissioners Gardner, Iverson and Renstrom voting aye.**

**CONSIDERATION OF RESOLUTION NO. R-2016-1984, A RESOLUTION APPROVING COMMERCIAL SERVICE AGREEMENT FOR NON-HAZARDOUS WASTES WITH EMPIRE WASTE SERVICES AND ACCOMPANYING ADDENDUM**

Undersheriff James Standley stated that the Washington County Sheriff's Office waste service contracts were nearing completion and thus, proposals were sought to determine current services available. Empire Waste Services' proposal was significantly less money than the current contracts while offering the same services. In addition, they also provide and maintain the equipment, which is currently taken from the Sheriff's Office budget.

**MOTION:** Motion by Commissioner Renstrom to Adopt Resolution No. R-2016-1984, a Resolution Approving Commercial Service Agreement for Non-Hazardous Wastes with Empire Waste Services and Accompanying Addendum. Motion seconded by Commissioner Iverson and carried by unanimous vote, with Commissioners Gardner, Iverson, and Renstrom voting aye.

**CONSIDERATION OF RESOLUTION NO. R-2016-1990, A RESOLUTION APPOINTING A MEMBER TO THE HABITAT CONSERVATION PLAN TECHNICAL COMMITTEE (HCTC)**

Habitat Conservation Plan Administrator Robert Sandberg explained that John Kellam will be taking the place of Tim Croissant as the Wildlife Biologist on the Habitat Conservation Plan Technical Committee (HCTC) due to Mr. Croissant transferring to the Forest Service from the Bureau of Land Management (BLM). Besides an at-large local biologist, the County Biologist and a member from the Snow Canyon State Park serving on the Committee, the BLM, Fish & Wildlife Service (FWS) and Utah Division of Wildlife Resources (UDWR) each nominate an employee to serve as a member to the HCTC.

**MOTION:** Motion by Commissioner Iverson to Adopt Resolution No. R-2016-1990, a Resolution Appointing John Kellam as a member to the Habitat Conservation Plan Technical Committee. Motion seconded by Commissioner Renstrom and carried by unanimous vote, with Commissioners Gardner, Iverson, and Renstrom voting aye.

**CONSIDERATION OF RESOLUTION NO. R-2016-1991, A RESOLUTION APPROVING THE COOPERATIVE LAW ENFORCEMENT AGREEMENT AND 2016 ANNUAL OPERATING AND FINANCIAL PLAN BETWEEN THE WASHINGTON COUNTY SHERIFF'S OFFICE AND THE USDA, FOREST SERVICE, DIXIE NATIONAL FOREST**

County Administrator Dean Cox explained that each year the Forest Service contracts with the Sheriff's Office for additional law enforcement. This Resolution approves the 2016 agreement between the parties.

**MOTION: Motion by Commissioner Renstrom to Adopt Resolution No. R-2016-1991, a Resolution Approving the Cooperative Law Enforcement Agreement and 2016 Annual Operating and Financial Plan between the Washington County Sheriff's Office and the USDA, Forest Service, Dixie National Forest. Motion seconded by Commissioner Iverson and carried by unanimous vote, with Commissioners Gardner, Iverson, and Renstrom voting aye.**

**CONSIDERATION OF RESOLUTION NO. R-2016-1992, A RESOLUTION APPROVING A LIMITED NUMBER OF DESERT TORTOISES TO BE TAKEN FROM THE POTENTIAL BLM LONG VALLEY PROPERTY AND PLACED IN THE RED CLIFFS DESERT RESERVE**

Mr. Sandberg stated that with the efforts to exchange privately held in-holdings within the Red Cliffs Desert Reserve for federal land outside of the Reserve it became necessary to account for any potential take of tortoises that may occur on the federal property that would become private property if the exchange is successful. The Washington County Habitat Conservation Advisory Committee (HCAC) met to discuss several options and recommends the Commission approve moving the tortoises and having them count against the County's incidental "take" permit. The resolution allows for a maximum of five (5) tortoises to be relocated and subtracted from the permit.

Mr. Sandberg explained that the County has just under 500 left on the original 1169 tortoise incidental "take" permit allowed. Chairman Gardner mentioned that out of the almost 700 tortoises counted for as "take", which is defined by the FWS, over 500 tortoises have been translocated back into the Reserve.

**MOTION: Motion by Commissioner Iverson to Adopt Resolution No. R-2016-1992, a Resolution Approving a Limited Number of Desert Tortoises to be Taken from the Potential BLM Long Valley Property and Placed in the Red Cliffs Desert Reserve. Motion seconded by Commissioner Renstrom and carried by unanimous vote, with Commissioners Gardner, Iverson, and Renstrom voting aye.**

**CONSIDERATION OF RESOLUTION NO. R-2016-1993, A RESOLUTION APPROVING THE DISBURSEMENT OF FUNDS AS RECOMMENDED BY THE WASHINGTON COUNTY RAP EXPENDITURE ADVISORY BOARD**

RAP Advisory Board Member Clyde Johnston stated that in the January 19, 2016, Commission Meeting the Chair of the RAP Tax Advisory Board submitted the board's funding disbursement recommendations to the Commission and this Resolution will formally adopt those recommendations. He went on to thank the Commissioners and County staff for the support that the RAP Tax Advisory Board has received through this process.

**MOTION: Motion by Commissioner Renstrom to Adopt Resolution No. R-2016-1993, a Resolution Approving the Disbursement of Funds as Recommended by the Washington County RAP Expenditure Advisory Board. Motion seconded by Commissioner Iverson and carried by unanimous vote, with Commissioners Gardner, Iverson, and Renstrom voting aye.**

**CONSIDERATION OF RESOLUTION NO. R-2016-1994, A RESOLUTION APPROVING AND DESIGNATING THE TRADE OF FIREARMS THE SHERIFF'S OFFICE HAS NEED OF DISPOSING FOR SUPPLIES AS A PUBLIC INTEREST USE AND GIVING PERMISSION TO THE SHERIFF'S OFFICE TO APPLY THE FIREARMS TO THIS USE**

Undersheriff Standley stated that periodically a number of weapons will be released either from evidence or courts but often aren't claimed, or safe to be released to the public. The Sheriff's Office is recommending that these firearms be traded in exchange for supplies needed by the Sheriff's Office, to an out-of-state firearms dealer that works with other law enforcement agencies.

**MOTION: Motion by Commissioner Iverson to Adopt Resolution No. R-2016-1994, a Resolution Approving and Designating the Trade of Firearms the Sheriff's Office has need of Disposing for Supplies as a Public Interest Use and Giving Permission to the Sheriff's Office to Apply the Firearms to this Use. Motion seconded by Commissioner Renstrom and carried by unanimous vote, with Commissioners Gardner, Iverson, and Renstrom voting aye.**

**CONSIDERATION OF RESOLUTION NO. R-2016-1995, A RESOLUTION APPROVING A PUBLIC DEFENDER AGREEMENT WITH WASHINGTON COUNTY TO PROVIDE PUBLIC DEFENSE SERVICES FOR INDIGENT DEFENDANTS IN THE FIFTH JUDICIAL DISTRICT COURT**

Mr. Cox stated that one of the contracts in Washington County for a General Public Defender is available. The vacancy was advertised and applicants were interviewed by Mr. Cox, the Lead Public Defender Doug Terry and Commissioner Renstrom. Based

upon those interviews, the recommendation from the panel is that Edward Flint be awarded the contract for the remainder of 2016.

**MOTION: Motion by Commissioner Renstrom to Adopt Resolution No. R-2016-1995, a Resolution Approving a Public Defender Agreement between Edward Flint and Washington County to Provide Public Defense Services for Indigent Defendants in the Fifth Judicial District Court. Motion seconded by Commissioner Iverson and carried by unanimous vote, with Commissioners Gardner, Iverson, and Renstrom voting aye.**

**CONSIDERATION OF RESOLUTION NO. R-2016-1996, A RESOLUTION APPOINTING BOARD MEMBERS TO THE ST. GEORGE AREA SPORTS COMMISSION**

Sports and Outdoor Recreation Director Kevin Lewis explained that the new St. George Area Sports Commission was created as the result of the transfer and creation of the new Sports and Outdoor Recreation department to Washington County. The commission was originally operating under the Tourism Office guidelines, wherein new commissioners were to be recommended and approved by the board through an application process. In creating the new board three (3) members were added as replacements to the board and one (1) additional position was created. This Resolution now approves the board in its entirety.

**MOTION: Motion by Commissioner Iverson to Adopt Resolution No. R-2016-1996, a Resolution Appointing Board Members to the St. George Area Sports Commission. Motion seconded by Commissioner Renstrom and carried by unanimous vote, with Commissioners Gardner, Iverson, and Renstrom voting aye.**

**CONSIDERATION OF RESOLUTION NO. R-2016-1997, A RESOLUTION SUPPORTING A TIME EXTENSION FOR THE U.S. DEPARTMENT OF THE INTERIOR'S COMPLETION OF THE RED CLIFFS NATIONAL CONSERVATION AREA MANAGEMENT PLAN**

Mr. Clarke explained that in 2015 a court order required the U.S. Department of the Interior (DOI) to finalize a management plan for the Red Cliffs National Conservation Area by June 30, 2016. In July 2015, the DOI released draft management plans for Washington County and within the time period allowed, Washington County raised fourteen specific areas of concern with the plan. The DOI recently filed a motion with the court to extend the June 30, 2016 deadline in order to allow time for the BLM to fully address concerns raised by Washington County and others. This Resolution is in support

of granting the time extension to complete the Red Cliffs National Conservation Area management plan.

**MOTION:** Motion by Commissioner Renstrom to Adopt Resolution No. R-2016-1997, a Resolution Supporting a Time Extension for the U.S. Department of the Interior's Completion of the Red Cliffs National Conservation Area Management Plan. Motion seconded by Commissioner Iverson and carried by unanimous vote, with Commissioners Gardner, Iverson, and Renstrom voting aye.

**CONSIDERATION OF RESOLUTION NO. R-2016-1998, A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE WASHINGTON COUNTY COUNCIL ON AGING AND VALLEY SERVICES, INC. REGARDING FOOD SERVICES PROVIDED TO THE COUNCIL ON AGING**

The Council on Aging gave public notice seeking proposals for food services for Washington County's Senior Centers. Valley Services, Inc. not only provides food services across the country but was the only proposal that could provide services at each location competitively.

**MOTION:** Motion by Commissioner Iverson to Adopt Resolution No. R-2016-1998, a Resolution Approving an Agreement between the Washington County Council on Aging and Valley Services, Inc. Regarding Food Services Provided to the Council on Aging. Motion seconded by Commissioner Renstrom and carried by unanimous vote, with Commissioners Gardner, Iverson, and Renstrom voting aye.

**COMMISSIONERS' REPORT**

Commissioner Iverson mentioned that the Legislature is in session from January 25, 2016 through March 10, 2016.

**PUBLIC WORKS OR ROAD BUSINESS**

No items were presented today.

**COUNTY DEVELOPMENT AND PLANNING BUSINESS**

Washington County Community Development Director Scott Messel stated that the next Planning Commission meeting will include public hearings on the proposed preliminary plat for the six (6) lot Juniper Ridge subdivision located in Dammeron Valley and an amended plat that will combine two (2) lots in the Dixie Deer Estates subdivision.

**HCP BUSINESS**

No further items were presented today.

There being nothing further to come before the Commission, the meeting was adjourned at 4:55 p.m.

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NICHOLLE M. FELSHAW  
DEPUTY CLERK

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ALAN D. GARDNER  
CHAIRMAN